

Issue: Consolidation of grievances for a single hearing; Ruling Date: January 28, 2014; Ruling No. 2014-3798, 2014-3799, 2014-3800; Agency: Virginia Commonwealth University; Outcome: Consolidation Granted.



*COMMONWEALTH of VIRGINIA*  
*Department of Human Resource Management*  
*Office of Employment Dispute Resolution*

**CONSOLIDATION RULING**

In the matter of Virginia Commonwealth University  
Ruling Numbers 2014-3798, 2014-3799, 2014-3800  
January 28, 2014

This ruling addresses the consolidation of the grievant's three grievances filed with Virginia Commonwealth University (the University or the agency). For the reasons discussed below, the Office of Employment Dispute Resolution (EDR) finds that consolidation of these grievances into a single hearing is appropriate and practicable.

FACTS

The three grievances at issue are 1) an October 16, 2013 grievance challenging a Group I and Group II Written Notice issued to the grievant on September 18, 2013, 2) a November 14, 2013 grievance challenging a Group I Written Notice issued to the grievant on October 18, 2013, and 3) a December 11, 2013 dismissal grievance challenging a Group II Written Notice issued on November 18, 2013, accompanying the grievant's termination from employment. Both parties agree that consolidation is appropriate in this instance.

DISCUSSION

Approval by EDR in the form of a compliance ruling is required before two or more grievances may be consolidated in a single hearing. Moreover, EDR may consolidate grievances for hearing without a request from either party.<sup>1</sup> EDR strongly favors consolidation and will consolidate grievances when they involve the same parties, legal issues, policies, and/or factual background, unless there is a persuasive reason to process the grievances individually.<sup>2</sup>

EDR finds that consolidation of the October 16, 2013, November 14, 2013, and December 11, 2013 grievances is appropriate. These grievances involve the same grievant and could share common themes, claims, and witnesses. The grievances relate to disciplinary actions issued to the grievant for similar occurrences that appear to have arisen from the same series of events eventually resulting in her termination. Further, we find that consolidation is not

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<sup>1</sup> *Grievance Procedure Manual* § 8.5.

<sup>2</sup> *See id.*

impracticable in this instance. Therefore, all three of the grievances in this matter are consolidated for a single hearing. A hearing officer will be appointed in a forthcoming letter.

EDR's rulings on compliance are final and nonappealable.<sup>3</sup>



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Christopher M. Grab  
Director  
Office of Employment Dispute Resolution

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<sup>3</sup> See Va. Code §§ 2.2-1202.1(5), 2.2-3003(G).